

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STRIKE 3 HOLDINGS, LLC,

Plaintiff,

-v-

DOE,

Defendant.

24-cv-640 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

An initial pretrial conference in the above-captioned case was scheduled to be held at 11 AM on April 12, 2024, but counsel for plaintiff failed to appear. Further, even though this case was filed on January 29, 2024, plaintiff has still not served defendant with process. Accordingly, this case is hereby dismissed without prejudice for failure to prosecute. See *Schenck v. Bear, Stearns & Co.*, 583 F.2d 58, 60 (2d Cir. 1978) ("The district court has the power to dismiss for failure to prosecute, on its own motion.").

SO ORDERED.

New York, NY
April 12, 2024



JED S. RAKOFF, U.S.D.J.